IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.1892 of 1985

The Board of Trus.ofPort of Bombay. Plaintiff

versus

Dharmesh Metals Press.& Rol.Mills & ors.Defendants

Mr.U.J.Maklhija i/b Mulla & Mulla for Plaintiff

Ms K.C.Nichani for Defendant no.1

CORAM : D.G. KARNIK, J

DATED : 11th August, 2005.

P.C.

1. Heard learned counsel for the plaintiff and the defendant no.1. The suit is for recovery of money. The defendants have not filed the written statement for nearly 20 years. Hence, the averments made in the plaint are deemed to be accepted. Suit of the plaintiff is decreed under Order 8 Rule 10 of the Code of Civil Procedure in terms of the prayer clause (a) with modification that interest would be payable at 9 % p.a. from the date of the suit till payment.

D.G.KARNIK, J